

ESTTA Tracking number: **ESTTA653643**

Filing date: **02/02/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91215047
Party	Defendant Rock It Brands, LLC
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Submission	Withdrawal Of Application
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Filer's e-mail	Tmdocket@arentfox.com, diane.lambillotte@arentfox.com, kristen.koines@arentfox.com
Signature	/diane m. lambillotte/
Date	02/02/2015
Attachments	Withdrawal 85401311.pdf(52449 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Application Serial No. 85/401311
For the Mark: ROCK IT WORKOUTS & Design
Filed August 18, 2011

RockIt Body Pilates, LLC

Opposer,

v.

Rock It Brands, LLC

Applicant.

Opposition No. 91215047

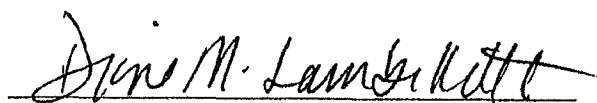
WITHDRAWAL OF APPLICATION WITH PREJUDICE

Pursuant to 37 C.F.R. § 2.135, Applicant Rock It Brands, LLC, through its undersigned attorneys, hereby withdraws the above-identified application **with** prejudice.

Dated: February 2, 2015

Respectfully submitted,

Rock It Brands, LLC



By: Diane M. Lambillotte
Arent Fox LLP
555 West Fifth Street
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Los Angeles, CA 90013
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Attorneys for Applicant

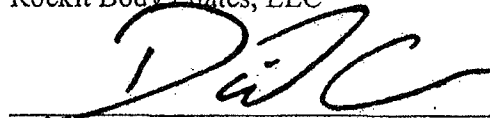
Opposition No. 91215047
Withdrawal of Application With Prejudice

Notwithstanding that the withdrawal of the above application is with prejudice, Opposer RockIt Body Pilates, LLC agrees that the withdrawal is **without** prejudice as to the design elements of the mark, which are described in the application as “a black and grey circular record with a red stripe in the interior, bounded by four red stars.”

Dated: February 2, 2015

Respectfully submitted,

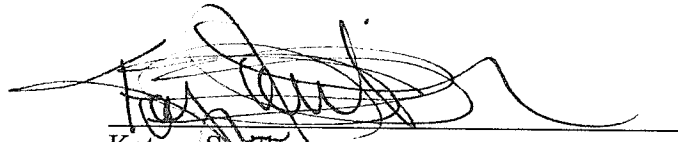
RockIt Body Pilates, LLC

A handwritten signature in black ink, appearing to read 'DKC', is written over a horizontal line.

By: David K. Caplan
Kilpatrick Townsend & Stockton LLP
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Penthouse Suite
Beverly Hills, CA 90212
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Attorneys for Applicant

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing ***WITHDRAWAL OF APPLICATION WITH PREJUDICE*** is being served upon Applicant RockIt Body Pilates, LLC, at David K. Caplan, Kilpatrick Townsend & Stockton LLP, 9720 Wilshire Boulevard, Penthouse Suite, Beverly Hills, CA 90212, United States, by first class mail, postage prepaid on February 2, 2015.



Katryn Smith